

IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF MISSOURI

IN RE:)
Aaron Arlise Roberts) Case No. 17-43022-can13
Shanna Ladawn Roberts)
Debtor(s))

OBJECTION TO CLAIM

Come now Movants Aaron and Shanna Roberts and hereby object to the Proof of Claim filed by creditor, Capital One Auto Finance, a division of Capital One, N.A. in the amount of \$14,552.65, and filed on December 1, 2017. The court claim number is 5.

Your claim may be reduced, modified, or eliminated. You should read this document carefully and discuss it with your attorney, if you have one.

Pursuant to Local Rule 3007-1 (C), the Claimant shall have 30 days after service of the Objection in which to file a Response, if you do not want the court to eliminate or change your claim. The Response shall be in writing and state why the claim should be allowed as filed. If a Response is filed, the Court will schedule a hearing. If no timely Response is filed, the Court will enter an Order sustaining the Objection to the Claim. Parties not represented by an attorney shall mail a Response to the Court at the address below. Debtor(s) not represented by an attorney must be served a copy of the Response by regular mail. If your Response is mailed, it must be early enough so that the court will receive it on or before 30 days after service of the Objection.

The basis for the objection is as follows: (PLEASE CHECK ONLY THE APPLICABLE BOXES)

- ☐ The deadline for filing proofs of claim expired prior to the filing of the claim, so the claim should be disallowed in its entirety. (Not applicable in Chapter 7)
- ☐ The claim should be disallowed entirely because _____.
- ☒ The claim should instead be allowed as an unsecured claim in the amount of \$14,552.65. The collateral which secured this loan, a 2011 Chevrolet Malibu, was repossessed by the creditor prior to the Movants' bankruptcy filing.
- ☐ The claim should instead be allowed as secured in the amount of \$.
- ☐ Other:

MOW 3007-1.1 (12/2017)

Dated: March 26, 2018

GHAFOOR COOK ELLIS LLC

/s/ Coleman R. Ellis

COLEMAN R. ELLIS #62252

136 E. Walnut, Suite 300

Independence, MO 64055

Phone (816) 373-7379

Fax (816) 222-0757

ATTORNEYS FOR DEBTOR(S)

CERTIFICATE OF SERVICE

I Coleman R. Ellis hereby certify that a true and correct copy of the Objection to Claim was sent electronically to those parties receiving electronic notice, and mailed to any party listed below by first class mail this 26th day of March, 2018.

Represented parties received notice electronically via the court's Electronic System.

Capital One Auto Finance,
a division of Capital One, N.A.
P.O. Box 165028
Irving, TX 75016

Capital One Auto Finance
c/o Secretary of State
600 West Main
Jefferson City, MO 65102

Dated: March 26, 2018

/s/ Coleman R. Ellis

Coleman R. Ellis

Court address: U.S. Bankruptcy Court, 400 E. 9th St., Room 1510, Kansas City, MO 64106

Instructions: Complete all parts of the form and serve on the affected parties

ECF Event: Bankruptcy>Claim Actions>Objection to Claim (includes 30-day notice)